

TJW


ATTORNEY DOCKET No.: 2003080-0201 (SK-1071-US1)
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Danishefsky *et al.*
Serial No: 10/551,158
Filing Date: September 28, 2005
Corresp. to: PCT/US2004/09571
Int. Filing Date: March 26, 2004
Priority: March 28, 2003
Title: MIGRASTATIN ANALOGS AND USES THEREOF

Examiner: NYA
Group Art Unit: NYA
Conf. No.: 3195

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Certificate of Mailing	
I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
October 5, 2006	
Date	Signature
	Mary B. Wilson
Typed or Printed Name of person signing certificate	

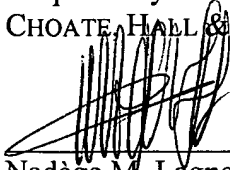
TRANSMITTAL LETTER

Enclosed **for filing** in the above-referenced patent application, please find the following documents:

1. Establishing Right of Assignee to Take Action (37 CFR §3.73 (b)) (2 pp) with a copy of the Recorded Assignment attached (14 pp);
2. Appointment of Attorney (1 pg);
3. Written Assertion of Small Entity Status Under 37 CFR §1.27 (a)(3) Non-Profit Organization (1 pg); and
4. Return-Receipt Postcard.

Please charge any additional fees associated with this filing, or apply any credits, to our Deposit Account No. 03-1721.

Respectfully Submitted,
CHOATE, HALL & STEWART LLP


Nadège M. Lagneau, Ph.D.
Reg. No. 51,908

Date: October 5, 2006

PATENT DEPARTMENT
CHOATE, HALL & STEWART LLP
Two International Place
Boston, Massachusetts 02110
Telephone: (617) 248-5000
Facsimile: (617) 248-4000



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Applicant: Danishefsky, *et al.* Examiner: TBA
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION
(37 CFR § 3.73(b))

The inventors of the above-referenced United States patent application have assigned their entire right, title, and interest in the inventions disclosed therein according to the following table:

Inventor	Assignee
Samuel J. Danishefsky	Sloan-Kettering Institute for Cancer Research
Christoph Gaul	Sloan-Kettering Institute for Cancer Research
Jon T. Njardarson	Sloan-Kettering Institute for Cancer Research

Thus, the Assignees of the inventors' entire right, title, and interest are:

Sloan-Kettering Institute for Cancer Research

According to 37 CFR § 3.73(b), the Assignee is entitled to take action relating to the application in the Patent and Trademark Office if the Assignee establishes ownership to the satisfaction of the Commissioner.

Ownership by the assignee is established as follows:

_____ documents already recorded in the PTO on _____.

Reel _____ Frame _____; and

X documents separately submitted for recordal to the PTO (a copy of these documents is attached).

STATEMENT

I, person(s) authorized to sign on behalf of the Assignee, have reviewed the evidentiary documents referred to above and certify that, to the best of my knowledge and belief, title is mine/ours as Assignee who seeks to take further action.

Name/Title	Assignee	Date
Signature: <u><i>Gustave J. Bernhardt</i></u> Name: <u>Gustave J. Bernhardt</u> Title: <u>Director, Research Resources Management</u>	Sloan-Kettering Institute for Cancer Research 1275 York Avenue New York, New York 10021	<u>9/27/06</u>



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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

APPOINTMENT OF ATTORNEY

The undersigned hereby appoints:

The attorneys/agents associated with **Customer No. 24280** as its attorneys and agents for prosecution of matters relating to the above-identified patent application and to conduct all business in the United States Patent and Trademark Office.

All correspondence should be sent to:

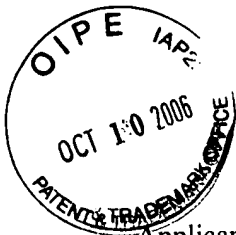
Patent Department
Choate, Hall & Stewart LLP
Two International Place
Boston, Massachusetts 02110

Respectfully submitted,

Name Gustave J. Bernhardt
Director,
Title Research Resources Management

On behalf of **Sloan-Kettering Institute**
for Cancer Research

Dated: 9/27/06



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P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**WRITTEN ASSERTION OF SMALL ENTITY STATUS
UNDER 37 CFR §1.27(a)(3) NON-PROFIT ORGANIZATION**

The undersigned hereby asserts entitlement to small entity status as a non-profit organization under 37 CFR §1.27(a)(3) on behalf of **Sloan-Kettering Institute for Cancer Research**.

This assertion is made on the ground that **Sloan-Kettering Institute for Cancer Research** is either:

- (a) a university or other institution of higher education located in any country;
- (b) an organization of the type described in section 501(c)(3) of the Internal Revenue Code of 1986 (26 USC §501(c)(3)) and exempt from taxation under section 501(a) of the Internal Revenue Code (26 USC §501(a));
- (c) any nonprofit scientific or educational organization qualified under a nonprofit organization statute of a state of this country (35 USC §201(i)); or
- (d) any nonprofit organization, located in a foreign country, that would qualify as a nonprofit organization under paragraphs (b) or (c) above if it were located in this country,

and *has not* assigned, granted, conveyed, or licensed, and is under no obligation under contract or law to assign, grant, convey, or license, any rights in the above-referenced patent application to any party who does not qualify for small entity status either as a person, a small business concern, or a nonprofit organization under 37 CFR §1.27.

Respectfully Submitted,

Name: Gustave J. Bernhardt
Title: Director, Research Resources
Date: Management

**UNITED STATES PATENT AND TRADEMARK OFFICE**UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

SEPTEMBER 19, 2006

PTAS

500153287A***500153287A***NADEGE M. LAGNEAU
TWO INTERNATIONAL PLACE
BOSTON, MA 02110UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 571-272-3350. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, MAIL STOP: ASSIGNMENT SERVICES BRANCH, P.O. BOX 1450, ALEXANDRIA, VA 22313.

RECORDATION DATE: 09/19/2006

REEL/FRAME: 018273/0400
NUMBER OF PAGES: 12BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).
DOCKET NUMBER: 2003080-0201ASSIGNOR:
DANISHEFSKY, SAMUEL J.

DOC DATE: 09/15/2006

ASSIGNOR:
GAUL, CHRISTOPH

DOC DATE: 09/12/2006

ASSIGNOR:
NJARDARSON, JON T.

DOC DATE: 09/18/2006

ASSIGNEE:
SLOAN-KETTERING INSTITUTE FOR
CANCER RESEARCH
1275 YORK AVENUE
NEW YORK, NEW YORK 10021

018273/0400 PAGE 2

SERIAL NUMBER: 10551158

FILING DATE:

PATENT NUMBER:

ISSUE DATE:

TITLE: MIGRASTATIN ANALOGS AND USES THEREOF

SHIRLIE SIMON, EXAMINER
ASSIGNMENT SERVICES BRANCH
PUBLIC RECORDS DIVISION

PATENT ASSIGNMENT

Electronic Version v1.1
Stylesheet Version v1.1

09/19/2006
500153287

SUBMISSION TYPE:	NEW ASSIGNMENT										
NATURE OF CONVEYANCE:	ASSIGNMENT										
CONVEYING PARTY DATA											
<table border="1"><thead><tr><th>Name</th><th>Execution Date</th></tr></thead><tbody><tr><td>Samuel J. Danishefsky</td><td>09/15/2006</td></tr><tr><td>Christoph Gaul</td><td>09/12/2006</td></tr><tr><td>Jon T. Njardarson</td><td>09/18/2006</td></tr></tbody></table>	Name	Execution Date	Samuel J. Danishefsky	09/15/2006	Christoph Gaul	09/12/2006	Jon T. Njardarson	09/18/2006			
Name	Execution Date										
Samuel J. Danishefsky	09/15/2006										
Christoph Gaul	09/12/2006										
Jon T. Njardarson	09/18/2006										
RECEIVING PARTY DATA											
<table border="1"><tr><td>Name:</td><td>Sloan-Kettering Institute for Cancer Research</td></tr><tr><td>Street Address:</td><td>1275 York Avenue</td></tr><tr><td>City:</td><td>New York</td></tr><tr><td>State/Country:</td><td>NEW YORK</td></tr><tr><td>Postal Code:</td><td>10021</td></tr></table>	Name:	Sloan-Kettering Institute for Cancer Research	Street Address:	1275 York Avenue	City:	New York	State/Country:	NEW YORK	Postal Code:	10021	
Name:	Sloan-Kettering Institute for Cancer Research										
Street Address:	1275 York Avenue										
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Postal Code:	10021										
PROPERTY NUMBERS Total: 1											
<table border="1"><thead><tr><th>Property Type</th><th>Number</th></tr></thead><tbody><tr><td>Application Number:</td><td>10551158</td></tr></tbody></table>	Property Type	Number	Application Number:	10551158							
Property Type	Number										
Application Number:	10551158										
CORRESPONDENCE DATA											
Fax Number: (617)248-4000 <i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>											
Phone: 617-248-5150											
Email: mwilson@choate.com											
Correspondent Name: Nadege M. Lagneau											
Address Line 1: Two International Place											
Address Line 4: Boston, MASSACHUSETTS 02110											
ATTORNEY DOCKET NUMBER:	2003080-0201										
NAME OF SUBMITTER:	Nadege M. Lagneau										
Total Attachments: 10 source=MSKCC 0201-Assignment#page1.tif source=MSKCC 0201-Assignment#page2.tif											

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ASSIGNMENT

In consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, each of the undersigned Samuel J. Danishefsky, of Englewood, NJ; Christoph Gaul, of Licstal, Switzerland; and Jon T. Njardarson, of Ithaca, NY, hereby

Sells, assigns and transfers to **SLOAN-KETTERING INSTITUTE FOR CANCER RESEARCH**, having a place of business at 1275 York Avenue, New York, New York 10021, its successors, assigns and legal representatives, all hereinafter referred to as the **ASSIGNEE**, his/her entire right, title and interest for the United States and all foreign countries; in and to any and all inventions which are disclosed in the application for United States Letters Patent entitled "**MIGRASTATIN ANALOGS AND USES THEREOF**" filed September 28, 2005, and given serial number 10/551,158 and disclosed in International Patent Application entitled "**MIGRASTATIN ANALOGS AND USES THEREOF**" filed March 26, 2004, and given serial number PCT/US04/09371 in and to said application and all divisional, continuing, substitute, renewal, reissue, re-examination or other application for Letters Patent which has been or shall be filed in the United States or any foreign country on any of said inventions, and in and to all original and reissued patents which have been or shall be issued in the United States and all foreign countries on said inventions including the right to apply for patent rights in each foreign country and all rights to priority.

Agrees that said **ASSIGNEE** may apply for and receive Letters Patent for said inventions in its own name and when requested, without charge to but at the expense of said **ASSIGNEE**, agrees to carry out in good faith the intent and purpose of this Assignment by executing all divisional, continuing, substitute, renewal, reissue, reexamination and all other patent applications on any and all said inventions; by executing all rightful oaths, assignments, powers of attorney and other papers; by communicating to said **ASSIGNEE** all facts known to him/her relating to said inventions and the history thereof, and generally by doing everything possible which said **ASSIGNEE** shall consider desirable for aiding in securing and maintaining proper patent protection for said inventions and for vesting title to said inventions and all applications for patents and all patents on said inventions, in said **ASSIGNEE**. Each of the undersigned also hereby appoints **ASSIGNEE** as its common agent for purposes of prosecuting international patent applications and any material patent applications for which such common agency is recognized.

Hereby requests the Honorable Commissioner of Patents and Trademarks to issue said Letters Patent to said **ASSIGNEE**.

Covenants with said **ASSIGNEE** that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by him/her, and that full right to convey the same as herein expressed is possessed by him/her.

In witness whereof, I hereto set my hand and seal at New York
NY this 15 day of September, 2006.

Samuel J. Danishefsky
Name: Samuel J. Danishefsky

Witnessed by: <u>Dr. Quathak Querfelli</u> Signature Name: <u>Quathak</u> Address: <u>2077 Carter Av.</u> <u>Apt 38</u> <u>Fort Lee, NJ 07024</u>	<u>Sept. 15 / 2006</u> Date
Witnessed by: <u>Michele Schmitt Hall</u> Signature Name: <u>Michele Schmitt Hall</u> Address: <u>135 York Ave</u> <u>NY, NY 10021</u>	<u>9/15/06</u> Date

Name: Christoph Gani

Witnessed by: _____ Signature Name: _____ Address: _____ _____ _____	_____ Date
Witnessed by: _____ Signature Name: _____ Address: _____ _____ _____	_____ Date

In witness whereof, I hereto set my hand and seal at _____
this _____ day of _____, 2006.

Name: Jon T. Njardarson

Witnessed by: Signature _____ Name: _____ Address: _____ _____ _____	 _____ Date _____
Witnessed by: Signature _____ Name: _____ Address: _____ _____ _____	 _____ Date _____

ASSIGNMENT

In consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, each of the undersigned **Samuel J. Danishefsky**, of Englewood, NJ; **Christoph Gaul**, of Liestal, Switzerland; and **Jon T. Njardarson**, of Ithaca, NY, hereby

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Agrees that said ASSIGNEE may apply for and receive Letters Patent for said inventions in its own name and when requested, without charge to but at the expense of said ASSIGNEE, agrees to carry out in good faith the intent and purpose of this Assignment by executing all divisional, continuing, substitute, renewal, reissue, reexamination and all other patent applications on any and all said inventions; by executing all rightful oaths, assignments, powers of attorney and other papers; by communicating to said ASSIGNEE all facts known to him/her relating to said inventions and the history thereof, and generally by doing everything possible which said ASSIGNEE shall consider desirable for aiding in securing and maintaining proper patent protection for said inventions and for vesting title to said inventions and all applications for patents and all patents on said inventions, in said ASSIGNEE. Each of the undersigned also hereby appoints ASSIGNEE as its common agent for purposes of prosecuting international patent applications and any material patent applications for which such common agency is recognized.

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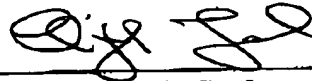
USSN 10/551,158

Page 1 of 4

Att'y. Docket No. 2003080-0201
Client Reference No.: SK-1071-US1

4040362v1

In witness whereof, I hereto set my hand and seal at _____,
this 12th day of September, 2006.



Name: Christoph Gaul

Witnessed by:

François Gressier

Signature

Name: 

Address: 8, Rue des Vergers
F-68720 ILLFURTH
(FRANCE)

09/12/2006

Date

Witnessed by:

Niko Schmiedberg

Signature

Name: 

Address: Fürstentsteinstr. 47
CH-4053 Basel
Switzerland

09/12/2006

Date

ASSIGNMENT

In consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, each of the undersigned **Samuel J. Danishefsky**, of Englewood, NJ; **Christoph Gaul**, of Liestal, Switzerland; and **Jon T. Njardarson**, of Ithaca, NY, hereby

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In witness whereof, I hereto set my hand and seal at _____
_____ this _____ day of _____, 2006.

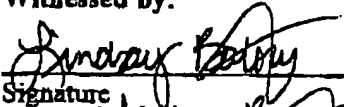
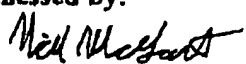
Name: Samuel J. Danishefsky

Witnessed by:	
Signature _____	Date _____
Name: _____	
Address: _____	

Witnessed by:	
Signature _____	Date _____
Name: _____	
Address: _____	

In witness whereof, I hereto set my hand and seal at Ithaca
New York this 18th day of September, 2006.


Name: Jon T. Njardarson

<p>Witnessed by:</p> <p> Signature Name: <u>Lindsay Batory</u> Lindsay Address: <u>Cornell University</u> Batory <u>Baker Laboratory</u> <u>Ithaca, NY 14853</u></p>	<p><u>9/18/06</u> Date</p>
<p>Witnessed by:</p> <p> Signature Name: <u>Nick McGrath</u> Address: <u>Cornell University</u> <u>Baker Laboratory</u> <u>Ithaca, NY 14853</u></p>	<p><u>9/18/06</u> Date</p>